

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Qwest Wireless,     ) Application No. 911-022.07  
Denver, Colorado, seeking             )  
funding approval for recurring        ) ORDER APPROVING COSTS AND  
and non-recurring costs of             ) INCORPORATING PRIOR DOCKET  
Enhanced Wireless 911                   )  
implementation.                         ) Entered: February 27, 2007

BY THE COMMISSION:

The Commission approved a written request for funding received September 13, 2002, wherein Qwest Wireless, L.L.C. (Qwest Wireless) sought funding from the Enhanced Wireless 911 Fund to provide enhanced wireless 911 service to the following public safety answering points (PSAPs): Douglas, Sarpy, Lancaster, Saunders, and Cass Counties.

Qwest Wireless implemented enhanced wireless 911 service in Douglas and Sarpy Counties in August 2002, and sought initial non-recurring costs and recurring costs to implement and provide enhanced wireless 911 service for Douglas and Sarpy Counties. Initial costs were for data circuits, facility charges, engineering labor, database upgrades, project management and other operations costs. Recurring costs were monthly fees for data circuits, facility charges, ongoing engineering labor, database management and project management.

O P I N I O N     A N D     F I N D I N G S

As an initial matter, the Commission finds consistent with its order entered in Docket 911-022 on July 18, 2006, that all filings and orders entered in Docket WSP-007 shall be incorporated into the present docket by this reference.

In January, 2005, Qwest Wireless transferred its customer base to other carriers. Thus, the Commission does not anticipate any future implementation or funding relating to Qwest Wireless. In the event Qwest Wireless wishes to request funding in the future, it should file a request with the Commission pursuant to *Neb. Rev. Stat. §§ 86-444 to 86-456 (2006 Supp.)*, 291 *Neb. Admin. Code*, Chapter 1, Section 5, and Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002.

Any future costs requested in relation to this Order must be eligible under *Neb. Rev. Stat. § 86-465(2)(a) (2006 Supp.)*.

All costs have been incurred or will be incurred to implement enhanced wireless 911 service, and may include the

following: (a) the portion of the costs for new equipment used for providing enhanced wireless 911 service; (b) costs to lease another vendor's equipment or services to provide enhanced wireless 911 service; (c) costs to create or maintain any database or database elements used solely for enhanced wireless 911 service; and (d) other costs of establishing enhanced wireless 911 service.

Qwest Wireless submitted an implementation plan in compliance with Commission Docket No. 911-001.

Attached hereto in Appendix A is a summary of approved funding for Qwest Wireless to be paid from the Fund. All amounts previously approved will be paid according to the amounts set forth in Appendix A as of the effective date of this order. Information set forth in Appendix A shall be treated as proprietary and confidential.

Payments of any recurring charges shall be made in arrears on a quarterly basis. Payment shall be adjusted based upon the number of cell sites reported by Qwest Wireless in its quarterly reports required by Neb. Rev. Stat. § 86-459 (2006 Supp.) No payments to Qwest Wireless will be made upon invoice. The Commission will not approve any increase in Wireless Carrier costs during the effectiveness of the interim policy, which was adopted by the Commission in Application No. 911-017/PI-116, Order Adopting Interim Policy, January 9, 2007. The Commission will continue to consider costs associated with new implementations.

Qwest Wireless shall comply with all reporting requirements set forth in § 86-459. Failure to do so could result in delay or loss of any future funding.

The Commission further finds that Qwest Wireless is hereby put on notice that approval of any funding pursuant to this Order will be made with the understanding it may be modified in the future consistent with the permanent funding mechanism established pursuant to LB 1222 (2006).

#### O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that all filings and orders entered in Docket WSP-007 shall be incorporated into the present docket by this reference. Any future funding requests filed by Qwest Wireless shall be filed in the present docket.

IT IS FURTHER ORDERED that any future payments made to Qwest Wireless after the effective date of this order shall be consistent with Appendix A unless otherwise ordered by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 27<sup>th</sup> day of February, 2007.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director